

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS

DO NOT WRITE IN THIS SPACE

Case

19-CB-172851

Date Filed

3/28/2016

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT

a. Name

IBEW 1547

b. Union Representative to contact

(b) (6), (b) (7)(C)

Title: Union (b) (6), (b) (7)(C)

c. Address (Street, city, state, and ZIP code)

IBEW Bldg, 3333 Denali St, Anchorage, AK 99503
Anchorage AK 99503

d. Tel. No.

(907) 272-6571

e. Cell No.

(b) (6), (b) (7)(C)

f. Fax No.

(907) 777-7255

g. e-Mail

(b) (6), (b) (7)(C)@ibew1547.org

h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) (1)(A) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

(1) Within the previous six months, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process the Charging Party's grievance for arbitrary or discriminatory reasons or in bad faith.

3. Name of Employer

Chugach Federal Solutions, Inc. Eareckson Air Station Project

4a. Tel. No.

(907) 563-8866

b. Cell No.

c. Fax No.

d. e-Mail

scott.davis@chugach.com

5. Location of plant involved (street, city, state and ZIP code)

3400 Spenard Rd Suite 105
Anchorage AK 99503

6. Employer representative to contact

Scott Davis

Title: Subsidiary President

7. Type of establishment (factory, mine, wholesaler, etc.)

Others

8. Identify principal product or service

Facilities Management & Maintenance

9. Number of workers employed

130

10. Full name of party filing charge

(b) (6), (b) (7)(C)

11a. Tel. No.

(b) (6), (b) (7)(C)

b. Cell No.

c. Fax No.

d. e-Mail

(b) (6), (b) (7)(C)

11. Address of party filing charge (street, city, state and ZIP code.)

(b) (6), (b) (7)(C)

12. DECLARATION

I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.

By (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(signature of representative or person making charge) (Print/type name and title or office, if any)

Title:

(b) (6), (b) (7)(C)

Address

(date) 03/28/2016 14:28:18

Tel. No.

(b) (6), (b) (7)(C)

Cell No.

Fax No.

e-Mail

(b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006

Agency Website: www.nlrb.gov
Telephone: (206)220-6300
Fax: (206)220-6305

July 28, 2016

JEREMY GILBREATH, EMPLOYMENT ATTORNEY
GILBREATH LAW FIRM
6800 PARK TEN BLVD #225
SAN ANTONIO, TX 78213

Re: IBEW 1547 (Chugach Federal Solutions)
Case 19-CB-172851

Dear Mr. Gilbreath:

We have carefully investigated and considered your charge that IBEW 1547 has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge for the reasons discussed below.

You allege that the Union breached its duty of fair representation when it failed to process your grievance for arbitrary or discriminatory reasons or in bad faith. The evidence shows your grievance was processed to settlement with your approval. Moreover, your charge was untimely filed as the settlement was reached outside the six months timeframe provided for our jurisdiction by §10 (b) of the Act. You allege that you only recently discovered certain documents, the existence of which was concealed from you and had you known of them, you would not have entered into the settlement. You allege that those documents were used by the Air Force to place your security clearance on hold. The information that your clearance was withheld was contained in the documents the Union had previously provided to you. Accordingly, I have decided to dismiss your charge.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlrb.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at www.nlrb.gov, click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

July 28, 2016

Appeal Due Date: The appeal is due on **August 11, 2016**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than August 10, 2016. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before August 11, 2016**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after August 11, 2016, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,




RONALD K. HOOKS
Regional Director

Enclosure/pr

cc: (b) (6), (b) (7)(C)

IBEW 1547
3333 DENALI ST - IBEW BLDG,
ANCHORAGE, AK 99503

(b) (6), (b) (7)(C)

A large black rectangular redaction box covering several lines of text.

SCOTT DAVIS, SUBSIDIARY PRESIDENT
CHUGACH FEDERAL SOLUTIONS, INC.
3400 SPENARD RD SUITE 105
ANCHORAGE, AK 99503

HERBERT WILDEN, SENIOR LABOR
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3800 CENTERPOINT DR STE 700
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